

November 21, 2006

TFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Garner T. Haupt, Jr. and Steven R. Gullans

Application No.:

10/601,184

Group:

1644

Filed:

June 20, 2003

Examiner:

Schwadron, Ronald B.

Confirmation No.:

6779

For:

BIOSYNTHESIS OF HIF

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
November 22, 2006	<i>Lisa A. Bevere</i>
Date	Signature
Lisa A. Bevere	
Typed or printed name of person signing certificate	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply to Restriction Requirement and Preliminary Amendment for filing in the above-identified application.

[X] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The claims fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	23	MINUS *	23	0
INDEP	7	MINUS **	7	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

* not fewer than 20

** not fewer than 3

SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 25	\$ 0
X	\$ 100	\$ 0
+	\$ 180	\$

TOTAL= \$ 0

OTHER THAN
SMALL ENTITY

	RATE	ADDIT. FEE
X	\$ 50	\$
X	\$ 200	\$
+	\$ 360	\$

TOTAL= \$ 0

The Application Size Fee has been calculated as shown below:

(Effective for cases filed on or after December 8, 2004)

Actual Sheets (Including current amendment)	Highest No. of Sheets Paid For (At least 100)	No. of Additional Units Required (Increments of 50 sheets)

SMALL ENTITY

Rate	Total Amount Owed
X \$125	\$[]

OTHER THAN
SMALL ENTITY

Rate	Total Amount Owed
X \$250	\$[]

Payment
Sufficient for
up to

[] Sheets

Petition for Extension of Time

[] Applicant hereby petitions to extend the time to respond to the [] dated [] for [] month(s) from [] to []. The appropriate fee is set forth below.

[] [For action-specific language in an extension of time, go to insert, file, public folders, firm templates, and select the appropriate paragraph.]

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Claims Fee	\$	_____
<input type="checkbox"/>	Application Size Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

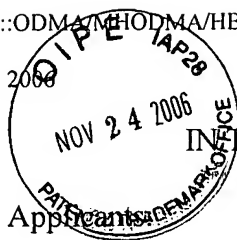
Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Anne J. Collins
Anne J. Collins
Registration No.: 40,564
Telephone (978) 341-0036
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Concord, Massachusetts 01742-9133

Dated: November 22, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

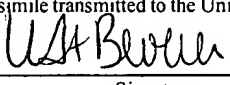
Applicants: Garner T. Hauptert, Jr. and Steven R. Gullans

Application No.: 10/601,184 Group: 1644

Filed: June 20, 2003 Examiner: Schwadron, Ronald B.

Confirmation No.: 6779

For: BIOSYNTHESIS OF HIF

CERTIFICATE OF MAILING OR TRANSMISSION	
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November 22, 2006	
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Lisa A. Bevere	
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REPLY TO RESTRICTION REQUIREMENT
AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated October 24, 2006, for the election of species for searching purposes, the Applicant hereby elects:

- a) the claimed methods wherein the identified agent is an inhibitor of HIF activity; and
- b) the claimed methods wherein the identified agent is an antibody.

Claims readable on the elected species are 1, 2, 4 and 9.

Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Please amend the application as follows: